

REMARKS/ARGUMENTS

The amendments set out above and the following remarks are believed responsive to the points raised by the Office Action dated March 3, 2005. Reconsideration is respectfully requested.

The Pending Claims

Claim 18 has been cancelled and claims 17 and 19-30 remain pending. Claim 17 has been amended to describe the invention more clearly and claims 19 and 28 have been amended to change their dependency. No new matter has been added, the basis for the amended claim language may be found within the original specification, claims, and drawings. In particular, claim 17 has been amended to define that the concentration of the volatile substances contained in the hot draft is less than 1 ppm. Amended claim 17 is supported, for example, at page 25, lines 27-29. Entry is respectfully requested.

The Office Action

Claims 17-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP 10-118557 to Tadao et al. (hereinafter referred to as "Tadao"). Claims 17-27, 29, and 30 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 4,851,027 to Murayama et al. (hereinafter referred to as "Murayama").

Each of these rejections is respectfully traversed. However, in order to expedite matters and to allow the application to pass to issuance quickly, claim 17 has been amended to include the limitations of claim 18.

Discussion

Amended independent claim 17 is directed to a method for producing a coated biologically active particle comprising, *inter alia*, a coating process (A) and a degas process (B) of removing volatile substances from the coated particle by exposure to a hot draft to obtain a coated biologically active particle having a concentration of the volatile substances of 500 ppm or less with respect to the coated particles, wherein the concentration of the volatile substances contained in the hot draft is less than 1 ppm.

Prima facie obviousness of amended claim 17 cannot be established by the cited references since important features of the invention are absent from all of the references. For example, neither Tadao nor Murayama disclose or even suggest removing volatile substances from a coated particle by exposure to a hot draft having a concentration of volatile substances

of less than 1 ppm. Indeed, Murayama merely discloses subjecting a coated particle to heat treatment and does not disclose a *hot draft* at all.

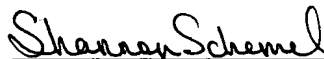
Furthermore, as admitted by the Office Action, the prior art fails to teach that volatile substances are removed from coated particles to a level of 500 ppm or less. However, the Office Action alleges it would have been obvious to one of ordinary skill in the art that when degassing or by allowing the coated particle to air-dry and then apply heat, the concentration of the volatile substances in the coated particles will be greatly reduced to ppm below 500 and in fact it can even be 0. Applicants respectfully disagree. Nothing in either of the cited references suggests that the concentration of volatile substances in the coated particles is 500 ppm or less, and the Examiner has provided no support for this assertion. Applicants respectfully assert that it is the inventive method including the degas process utilizing a *hot draft*, i.e., a stream of heated flowing gas, having a concentration of volatiles of less than 1 ppm, that results in coated particles having a volatile concentration of 500 ppm or less and that merely air-drying or heating the coated particles does not achieve the claimed concentration.

Conclusion

In view of the amendment and remarks recited herein, the application is considered in good and proper form for allowance, and the Examiner is respectfully requested to pass this application to issue.

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,



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